

# Public Document Pack

## GATESHEAD METROPOLITAN BOROUGH COUNCIL PLANNING AND DEVELOPMENT COMMITTEE MEETING

Wednesday, 1 August 2018

**PRESENT:** Councillor B Goldsworthy (Chair)

Councillor(s): M Hood, L Caffrey, K Ferdinand, A Geddes, M Hall, L Kirton, J Lee, E McMaster, C Ord, I Patterson, J Turnbull, K Wood, N Weatherley, S Dickie, M Henry and D Burnett

**APOLOGIES:** Councillor(s): S Craig, K McCartney, J McClurey, C McHugh, A Wheeler and R Oxberry

### **PD262 MINUTES**

The minutes of the meeting held on 11 July 2018 were approved as a correct record and signed by the Chair.

### **PD263 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **PD264 PLANNING APPLICATIONS**

- RESOLVED:
- i) That the full planning applications and outline applications specified in the appendix to these minutes be granted, refused or referred to the Department for Communities and Local Government or deferred as indicated subject to the conditions, if any, as specified therein and to any other appropriate conditions of a routine or standard nature.
  - ii) That the applications granted in accordance with delegated powers be noted.

### **PD265 DELEGATED DECISIONS**

The applications determined since last committee meeting in accordance with the powers delegated under part 3, schedule 2 were tabled for information.

RESOLVED - that the information be noted

**PD266 ENFORCEMENT ACTION**

Consideration was given to a report that informed of the progress of enforcement action previously authorised by the Committee.

RESOLVED: That the information be noted.

**PD267 PLANNING APPEALS**

The Committee received a report advising of new appeals received and to report the decisions of the Secretary of State during the report period.

The Committee were advised that there had been no new appeals lodged since the last committee.

The Committee were advised that there had been four new appeal decisions received since the last Committee.

The Committee were advised that there have been one appeal cost decision since the last Committee.

RESOLVED - that the information be noted

**PD268 PLANNING OBLIGATIONS**

The Committee received a report advising of the completed Planning Obligations which have previously been authorised.

Since the last Committee there has been one new planning obligations.

Since the last Committee there has been one new payment received in respect of planning obligations.

RESOLVED - that the information be noted.

**Chair.....**

Date of Committee: 1 August 2018

**Application Number and Address:**

DC/18/00525/FUL  
L G Coffee Bar  
The Gallery  
Church Chare  
Whickham  
Newcastle upon Tyne  
NE16 4SH

**Applicant:**

Trafalgar Leisure Ltd

**Proposal:**

Proposed variation of Condition 1 (Approved Plans) of DC/16/01137/FUL to enable alterations to roof, windows and parking (amended 11/07/18)

**Declarations of Interest:**

Name	Nature of Interest
None	Personal

**List of speakers and details of any additional information submitted:****Reason for Minor Update**

Note additional policy consideration & additional objection

**Policy Consideration**

The National Planning Policy Framework, the NPPF, was revised on 24 July 2018, after this Committee's agenda was finalised. The revised NPPF has immediate effect.

The paragraph numbers in the revised NPPF have changed and therefore the NPPF's paragraph numbers included in the application reports are no longer correct. Paragraph numbers relating to conserving and enhancing the historic environment are now numbered 184 to 202. As before, the revised NPPF should be read as a whole.

The revisions to the NPPF do not change the assessment of this application.

**Additional Objection**

A single further objection has been received and raises the following point/issues;  
If planning permission is granted the developer should be prevented from blocking the access lane (off Church Chare) in order to preserve a legal right of access.

The private access lane is protected as a right of access; therefore, the management of this lane is a civil legal matter is not afforded weight in the officer's recommendation to committee.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below –  
2075-GA-PA-01 Rev 2 – Site Plan  
20700-1040- As Existing Elevations and Sections  
2075-ELE-E-601 – East Elevation  
2075-ELE-N-601 – North Elevation  
2075-ELE-S-601 Rev 2 – South Elevation  
2075-ELE-W-601 Rev 2 – West Elevation  
2075-SEC-AA- Sections through the site

Any material change to the approved plans will require a formal planning application to vary this Condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2. The development to which this permission relates must be commenced not later than 20 December 2019.
3. Notwithstanding the submitted plans, prior to the occupation of any dwelling hereby approved a scheme for the provision of bin storage facilities within the site, for that unit shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the location and appearance of the bin stores and surface finish.

4. The bin storage facilities approved under condition 3 shall be implemented in full prior to the occupation of the dwelling hereby approved, that it relates to and thereafter they shall be retained as approved for the lifetime of the development.
5. Notwithstanding the submitted plans, prior to the undertaking of any works pertaining to the installation of rooflights final details of all rooflights shall be submitted to and approved in writing by the Local Planning Authority.

The details shall demonstrate that they are flush fitting to the roof covering.

6. All rooflights shall be installed in full accordance with the details approved under Condition 5.
7. Notwithstanding the submitted plans, prior to the commencement of any works pertaining to the large arched openings (on the eastern elevation) details of the timber cladding to be used on the eastern elevation shall be submitted to and approved in writing by the Local Planning Authority.
8. All works to the large openings on the eastern elevation shall be undertaken in accordance with the details approved under Condition 7.

**Date of Committee: 1 August 2018**

**Application Number and Address:**

DC/18/00526/LBC  
L G Coffee Bar  
The Gallery  
Church Chare  
Whickham  
Newcastle upon Tyne  
NE16 4SH

**Applicant:**

Trafalgar Leisure Ltd

**Proposal:**

Proposed variation of Condition 1 (Approved Plans) or permission DC/16/01138/LBC to enable internal works, alterations to roof, windows and parking (amended 11/07/18)

**Declarations of Interest:**

**Name**

**Nature of Interest**

None

None

**List of speakers and details of any additional information submitted:**

**Reason for Minor Update**

Note additional policy consideration & additional objection

**Policy Consideration**

The National Planning Policy Framework, the NPPF, was revised on 24 July 2018, after this Committee's agenda was finalised. The revised NPPF has immediate effect.

The paragraph numbers in the revised NPPF have changed and therefore the NPPF's paragraph numbers included in the application reports are no longer correct. Paragraph numbers relating to conserving and enhancing the historic environment are now numbered 184 to 202. As before, the revised NPPF should be read as a whole.

The revisions to the NPPF do not change the assessment of this application.

**Additional Objection**

A single further objection has been received and raises the following point/issues;  
If planning permission is granted the developer should be prevented from blocking the access lane (off Church Chare) in order to preserve a legal right of access.

The private access lane is protected as a right of access; therefore, the management of this lane is a civil legal matter is not afforded weight in the officer's recommendation to committee.

**Any additional comments on application/decision:**

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1. The development shall be carried out in complete accordance with the approved plan(s) as detailed below –  
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2075-ELE-E-601 – East Elevation  
2075-ELE-N-601 – North Elevation  
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2075-ELE-W-601 Rev 2 – West Elevation  
2075-SEC-AA- Sections through the site

Any material change to the approved plans will require a formal planning application to vary this Condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

2. The development to which this permission relates must be commenced not later than 20 December 2019.
3. Notwithstanding the submitted plans, prior to the occupation of any dwelling hereby approved a scheme for the provision of bin storage facilities within the site, for that unit shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the location and appearance of the bin stores and surface finish.

4. The bin storage facilities approved under condition 3 shall be implemented in full prior to the occupation of the dwelling hereby approved, that it relates to and thereafter they shall be retained as approved for the lifetime of the development.
5. Notwithstanding the submitted plans, prior to the undertaking of any works pertaining to the installation of rooflights final details of all rooflights shall be submitted to and approved in writing by the Local Planning Authority.

The details shall demonstrate that they are flush fitting to the roof covering.

6. All rooflights shall be installed in full accordance with the details approved under Condition 5.
7. Notwithstanding the submitted plans, prior to the commencement of any works pertaining to the large arched openings (on the eastern elevation) details of the timber cladding to be used on the eastern elevation shall be submitted to and approved in writing by the Local Planning Authority.
8. All works to the large openings on the eastern elevation shall be undertaken in accordance with the details approved under Condition 7.

Date of Committee: 1 August 2018

<b>Application Number and Address:</b> DC/18/00577/FUL Land at Barlow Ashtree Lane Rowlands Gill	<b>Applicant:</b> MS Agriculture				
<b>Proposal:</b> Proposed construction of timber frame agricultural education building and associated car parking and site access adjacent to agricultural shed previously approved under application DC/17/00433/FUL (amended 03/07/18)					
<b>Declarations of Interest:</b> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Name</th> <th style="text-align: left;">Nature of Interest</th> </tr> </thead> <tbody> <tr> <td>None</td> <td>Personal</td> </tr> </tbody> </table>		Name	Nature of Interest	None	Personal
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None	Personal				
<b>List of speakers and details of any additional information submitted:</b> Councillor Julie Simpson spoke against the application. Mr Matthew Sharp (the applicant) spoke in favour of the application. <b>Reason for Minor Update</b> Revised National Planning Policy Framework and further representation. The National Planning Policy Framework, the NPPF, was revised on 24 July 2018 <b>Policy Consideration</b> The National Planning Policy Framework, the NPPF, was revised on 24 July 2018, after this Committee's agenda was finalised. The revised NPPF has immediate effect. The paragraph numbers in the revised NPPF have changed and therefore the NPPF's paragraph numbers included in the application reports are no longer correct. Paragraph relating to protecting the Green Belt are now numbered 133 to 147. As before, the revised NPPF should be read as a whole. The revisions to the NPPF do not change the assessment of this application. One further representation has been received. The representation was received from a resident who was intending to address the Committee. They are no longer able to attend Committee due to prior arrangements but instead forwarded a written statement. The following is a summary of the main points contained within the submitted document: <ul style="list-style-type: none"> <li>• There will be an influx of traffic on Barlow Road, Barlow Fell Road, Barlow Crescent, Pawston</li> </ul>					

Road and Ashtree Lane as a result of the proposal. These roads are not capable of coping with the increased demand. There is no provision made for the upkeep of the roads.

- It has been proven that visitors to rural areas do not adhere to speed limits and often cause litter issues. No provision has been made to fund traffic calming speed bumps or barriers through the village.
- Barlow Fell Road, Barlow Crescent, Garesfield Lane, Hollinhill Lane and Ashtree Lane (most part) are single lane roads and are not equipped for additional traffic. These roads are used by cyclists, horse riders, hikers, dog walkers and children. No suggestion or provision has been made for these roads has been made. There is no mention of widening the roads or providing foot/cycle ways. Also, no provision has been made to allow for large passenger vehicles to pass through the village and surrounding single lane roads.
- Internal and external planned demonstrations will adversely affect the living conditions of those in the area due to the lack of external soundproofing throughout the 24 properties. Ground vibrations and noise have no limitations and this is a great concern for residents.
- The development is not comparable with the development at Rising Sun.
- Education buildings are beneficial to those with special needs but we should not simply accept something that would affect our village on a “just because” basis and without having provisions in place to take care of concerns first.
- There are more suitable locations for such a centre, where access is not an issue and surrounding residential homes will not be within close proximity to be affected by noise, traffic or access.
- This centre will not bring any benefits to our village and we fail to see any effective rural growth or local jobs being produced based on the information supplied.

**Any additional comments on application/decision:**

That permission be REFUSED for the following reasons:

1. The proposal would be inappropriate development in the Green Belt and no very special circumstances exist that would clearly outweigh the harm to the Green Belt and any other harm. Therefore, the proposal would not comply with the aims and requirements of policy CS19 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.
2. Insufficient information has been submitted with the application to assess whether appropriate parking provision would be provided, whether the proposed additional trips could be accommodated along Ashtree Lane and surrounding area and whether the car parking area would allow for large vehicles, such as coaches, minibuses or refuse collection vehicles to turn in the site so they could exit in a forward gear. Therefore, the proposal would not comply with the aims and requirements of policy CS13 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.